

Article - Courts and Judicial Proceedings

5-116.

(A) AN ACTION FOR DAMAGES FOR AN INJURY OR DEATH CAUSED BY THE EFFECTS OF A BREAST IMPLANT OR BREAST IMPLANT MATERIALS SHALL BE FILED WITHIN THE LATER OF:

(1) 180 DAYS AFTER THE DATE OF COMPLETION OF ANY OPT-OUT PERIOD IN A CLASS ACTION IN WHICH THE CLAIMANT IS A MEMBER OF THE CLASS, INCLUDING AN OPT-OUT PERIOD PROVIDED FOR IN A SETTLEMENT AGREEMENT;

(2) 180 DAYS AFTER THE COMPLETION OF ANY NONBINDING MEDIATION IN A CLASS ACTION IN WHICH THE CLAIMANT IS A MEMBER OF THE CLASS; OR

(3) A PERIOD OF LIMITATIONS THAT WOULD OTHERWISE APPLY.

(B) THIS SECTION DOES NOT APPLY TO AN ACTION FOR MEDICAL INJURIES SUBJECT TO THE PROVISIONS OF TITLE 3, SUBTITLE 2A OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is intended to allow a member of the settlement class in the In re: Silicone Gel Breast Implant Products Liability Litigation (MDL-926) to bring an action for an injury or death caused by the effects of a breast implant or breast implant materials if the claimant elects to opt out of the settlement class in accordance with the settlement agreement after the period of limitations has expired for any civil action that might otherwise have been brought in any State or federal court in Maryland.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1995.

Approved May 25, 1995.

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Effective Pursuant to Constitutional Provisions

Article II, Section 17(c), of the Constitution of Maryland states:

Section 17.

(c) Any bill presented to the Governor within 6 days (Sundays excepted), prior to adjournment of any session of the General Assembly, or after such adjournment, shall become law without the Governor's signature unless it is vetoed by the Governor within 30 days after its presentment.